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**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA
(PHILADELPHIA)**

In Re: Morris Sampson Denise D Sampson Debtors	Chapter 13 Case Number: 16-14321-JKF
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**Motion of U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust
For Relief from the Automatic Stay under 11 U.S.C. §362(d)
With Respect to Property: 9 CONCORD RD, DARBY, PA 19023**

U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust, through its Counsel, Stern & Eisenberg PC, respectfully requests the Court grant its Motion for Relief and in support thereof respectfully represents as follows:

1. Movant is U.S. Bank Trust National Association, as Trustee of Bungalow Series F Trust (hereafter referred to as “Movant”).
2. Debtors, Denise D Sampson and Morris Sampson (hereinafter, “Debtors”), are, upon information and belief, adult individuals whose last-known address is 9 Concord Rd, Darby, PA 19023.
3. On January 11, 2006, Morris Sampson, executed and delivered a Note in the principal sum of \$75,650.00 to Alta Financial Mortgage. A copy of the Note is attached as Exhibit “A” and is hereby incorporated by reference.
4. As security for the repayment of the Note, Morris Sampson, executed and delivered a Mortgage to Alta Financial Mortgage. The Mortgage was duly recorded in the Office of the Recorder of Deeds in and for Delaware County on February 9, 2006, Instrument 2006015943. A copy of the Mortgage is attached as Exhibit “B” and is hereby incorporated by reference.
5. The Mortgage encumbers Debtor’s real property located at 9 Concord Rd, Darby, PA 19023.
6. By assignment of mortgage, the loan was ultimately assigned to Movant. A true and correct copy of the assignment is attached as Exhibit “C” and is hereby incorporated by reference.
7. Debtors filed the instant Chapter 13 Bankruptcy on June 16, 2016 and, as a result, any state court proceedings were stayed.
8. It is believed and therefore averred that Debtors filed the instant bankruptcy as an additional delay in order to prevent Movant from proceeding with the state court proceedings or otherwise institute proceedings as allowed under the Mortgage.

9. Debtor's mortgage loan is in default and is currently due for the June 1, 2017 payment and each subsequent payment through the date of the motion. Debtors have failed to make the following post-petition payments to Movant:

POST-PETITION PAYMENTS IN DEFAULT

Monthly Payments in Default.....	06/01/2017 to 12/01/2017
Monthly payments (\$652.51 x 7)	\$4,567.57
Total Amounts Due as of December 14, 2017:	\$4,567.57

10. In addition, Movant has incurred counsel fees and costs in association with Debtor's default and this motion.
11. As a result of the Debtor's default and failure to make payments or to otherwise adequately provide for Movant in the bankruptcy filing, Movant is not adequately protected and is entitled to relief.
12. Debtor's ongoing failure to make post-petition regular monthly mortgage payments operates to erode the value of Movant's security interest in the Property.
13. To the extent the Court does not find that relief is appropriate, then Movant requests that the stay be conditioned such that in the event the Debtors fall(s) behind on post-petition payments or trustee payments that Movant may receive relief upon default by the Debtors of the terms of the conditional order.
14. Movant requests that the stay of Bankruptcy Rule 4001(a)(3) be waived.

WHEREFORE, Movant respectfully requests this Court to grant the appropriate relief under 11 U.S.C. §362 from the automatic stay as set forth in the proposed order together with waiver of Bankruptcy Rule 4001(a)(3).

Respectfully Submitted:

Stern & Eisenberg, PC

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